

# FoodBytes

Food Protection Program

March, 2010

Indiana State Department of Health

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## HBV Education Continues on HEA 1309

As spring approaches, House Enrolled Act (HEA) 1309 looms over regulators once again. Education on this piece of legislation has been ongoing since its adoption in May of 2009. Those seeking information include individual vendors wishing to meet the home-based vendor (HBV) requirements and market masters wishing to ensure their vendors are meeting the regulatory requirements.

The Indiana State Department of Health (ISDH) continues to participate in educational programs highlighting the requirements of HEA 1309. Since the start of 2010, four different forums of education for HBVs have been sponsored in part by the Purdue University Cooperative Extension Service.

In January, the Illiana Vegetable Growers' School held in Schererville

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Whole produce sold at farmers' market

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## Local Health Dept. Surveys Underway

In November 2009, the ISDH provided information to local health departments (LHD) regarding food program surveys, which were to be conducted by the ISDH Food Protection staff. The ISDH field staff has been actively collecting food establishment census data in addition to collecting

baseline data regarding the FDA Voluntary Standards and the 10 Essential Services. If you have not received the survey documents, or you have questions regarding the survey, please contact the ISDH field representative in your area.

## Indiana State Police Receive Infrared Thermometers

The ISDH Food Protection Program had the good fortune to supply the Indiana State Police (ISP) Commercial Vehicle Inspection Program with 100 infrared type thermometers that could be used during their vehicle safety inspections. They can be used to check for unsafe conditions, such as high axle heat, and to aid them with removing from service unsafe vehicles from the roadway.

These units will also be used by the officers to do



Pictured from left Captain L. Wayne Andrews, ISP, Sgt. Fred Bunzendahl, ISP, Scott Gilliam, ISDH, and Travis Goodman, ISDH

spot checks of food transportation vehicles to check for unsafe storage temperatures. If this would be observed, they will contact the nearest regulatory authority for assistance. Most often this will be the local health department.

Scott Gilliam and Stanley Danao, ISDH, worked with Sgt. Fred Bunzendahl, ISP, to make this project possible. The Centers for Disease Control (CDC) Preparedness funds were used for the purchase. (See related IFTAP article on Page 5.)

*Scott Gilliam, ISDH*

## Learning to Improve Horizontal Information Sharing

*By Travis Goodman, Food Defense Coordinator, ISDH*

As a follow-up to my last FoodBytes article, I thought it would be beneficial to share my experience working to improve information sharing at the U.S. Department of Homeland Security (DHS).

One of my primary charges during my one-year detail was to “design a dynamic information sharing system that provides two-way information sharing to and from Food and Agriculture Sector stakeholders.” This was a very challenging charge to address in one year. The DHS, U.S. Food & Drug

Administration (FDA), and the United States Department of Agriculture (USDA) each have their own information sharing processes but sharing information horizontally between the various agencies and stakeholders is challenging due to the scope of the Sector. Since accurate and timely information is the enabler for decisions and actions, it is important to try to improve horizontal information sharing.

In this article, I will describe how this innovative information sharing system was developed and how you can get plugged into the new web-based information sharing technologies. Since this charge seemed to be too complex for one person to make much progress in a year, I

asked the Government Coordinating Council leadership to stand up an Information Sharing Workgroup (ISWG) to assist in developing the core information sharing capabilities and processes.

In response to a request for volunteers there were representatives from FDA, USDA, DHS, State and Local Government, as well as two private industry representatives who agreed to participate. We had bi-weekly conference calls and web-conferences in order to move forward rapidly in developing these processes.

The ISWG agreed that the new web-based sharing technologies should be leveraged in order to share information to all levels “farm-to-fork” within the Sector rapidly.

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**Accurate and timely information is the enabler for decisions and actions...**

## Improving Horizontal Information Sharing (Continued)

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The ISWG looked into many different systems including Share-Point, Sun Systems, and Adobe Cold Fusion technology and decided that a combination of the various strengths of these technologies would be used to improve information sharing at all levels. These web-based technologies are websites that screen membership applicants and offer many useful tools to the members including: creation of private, semi-private, or open workgroups, conference calls, web-conferencing, document posting, contact directories, and

function/role-based querying for targeted information sharing. These systems have the capabilities to engage members from the Sector due to the value they provide users and will assist in getting the right information to the right people at the right time.

It was decided that the ISWG would document the Governance and Membership Foundation to identify the Sector's membership and operating policies. The existing DHS/FDA/USDA Charter, creating the Government Coordinating Council, was used for governance and membership processes for

joining the web-based information sharing systems were developed.

The next step was to draft the five core information sharing capabilities including:

- Alerts, Warnings, and Notifications - Details how the Sector will receive and distribute notices provided by the government and industry to the Sector
- Suspicious Activity Reporting - Details how the Sector will receive and distribute reports of suspicious activity affecting critical infrastructure

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## FDA's Reportable Food Registry for Industry

As part of President Obama's pledge to strengthen food safety, the U.S. Food & Drug Administration (FDA) has established the Reportable Food Registry (RFR) under the Food and Drug Amendments Act of 2007. The purpose of the RFR is to provide a mechanism to track patterns of adulteration in food, whereby allowing FDA to better focus its limited inspection resources.

Food facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States are now required to report when they find reasonable probability that their food product might sicken or cause the death of people or animals. Basically, the food product may have become adulterated and would then be considered a "reportable food." The food facility is required to report such an incident as soon as practicable, but no later than 24 hours

after discovery. This reporting requirement, which applies to anyone who is required to register with FDA, covers all animal feeds and human foods with the exception of dietary supplements and infant formula (these are covered under other regulations).



Food industries are required to report to FDA when there is a reasonable probability that their food may cause harm to humans.

Beginning September 8, 2009, the RFR requires a "responsible party" to file a report through the RFR electronic portal (<http://rfr.fda.gov>) on any potentially adulterated food product. A "responsible party" is defined as "the person who submits the registration information to FDA for a food facility that manufactures, processes, packs, or holds food for human or animal consumption in the United States." The only time the responsible party is not required to submit a report is if the adulteration is detected before the product is transferred to another person, and the responsible party corrected the adulteration or had the adulterated product destroyed.

In addition to the "responsible party," federal, state, and local health officials may also use the portal to submit information they receive concerning reportable foods.

Source: FDA



## Improving Horizontal Information Sharing (Continued)

(Continued From Page 3)

- Data Management - Details how the Sector will develop, post, distribute and maintain documents and other forms of data
- Incident Communication and Collaboration - Details how the Sector will communicate during an emergency or incident
- Routine Communication and Collaboration - Details how the Sector will communicate during non-emergency situations

The ISWG decided that sensitive information will be managed and distributed using the Homeland Security Information Network -

Food and Agriculture portal (HSIN-FA). All other information will be managed and distributed using email and the FoodSHIELD web-based platform. These processes are now in final draft form and will be tabletop-tested in March 2010.

Hopefully, the processes will be implemented by the end of this year so we can all benefit by receiving timely and pertinent information. You can get ahead of the crowd by joining these web-based information sharing systems now.

To join FoodSHIELD you may request membership at:

- [helpdesk@foodshield.org](mailto:helpdesk@foodshield.org)

- Helpdesk phone at 1-651-319-9178

To join the Homeland Security Information Network - Food and Agriculture Portal, you may request membership at:

- [CIKRISAccess@hq.dhs.gov](mailto:CIKRISAccess@hq.dhs.gov)
- Helpdesk phone at 1-866-430-0162

(Questions regarding this article may be directed to Travis Goodman by email at [tgoodman@isdh.in.gov](mailto:tgoodman@isdh.in.gov))

## HBV Education Continues on HEA 1309 (Continued)

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offered information designed to help commercial vegetable growers and market farmers, big or small, better manage their farming operations.

Also in January, the Indiana Horticultural Congress and Trade Show was held. This educational conference is designed to meet the needs of farm marketers in Indiana.

In February, a special Adobe Connect session titled "Growing for Market II" was held for farm producers. This session was broadcast to 19 different locations throughout Indiana offering information on regulations that could impact farmers' market sales.

Finally in February, the Midwest Women in Agriculture Conference was held in Indianapolis. This conference is aimed

towards meeting the needs of farm women by addressing issues that affect their businesses.

The sessions offered on HEA 1309 were all well attended. Questions from both market vendors and market masters were abundant and broad in scope. While the ISDH's participation in these educational programs continues to provide answers and clarify issues, misconceptions and confusion regarding this bill are still in existence.

It is important for local regulators to continue the educational process this market season. The following link:

<http://www.ag.purdue.edu/foodsci/Pages/IN-HEA-1309-info.aspx>

continues to provide valuable

resources for regulators, market masters, and market vendors alike. This site provides various documents including questions and responses to HEA 1309, a fact sheet on HEA 1309, the ISDH guidance on HEA 1309, and a copy of HEA 1309. Also available at this site are two Adobe Connect sessions held in 2009 relating to this legislation.

Contact resources for questions on foods produced by HBVs are listed on the above-mentioned fact sheet. Science-based questions may be directed to the Purdue staff contacts. Regulatory questions may be directed to the ISDH staff. The questions and responses to HEA 1309 document is updated as needed to include recent submittals.

## Interstate Food Transportation Assessments Continue

The Interstate Food Transportation Assessment Projects (IFTAP) continue as trucks transporting food across Indiana's highways are inspected for food safety and security compliance. ISDH Food Protection staff along with members of the Indiana State Police (ISP) Commercial Vehicle inspectors participated in five separate projects held in various locations across the state in 2009.

These assessment projects will continue in 2010 to ensure food is being transported as required by law. Ensuring proper food temperatures and proper sanitation of transport vehicles are just two key elements of these inspections.

Dates, times, and locations of these projects are coordinated with the ISP. Finding locations for these



Hank Wolfe, ISDH, completes appropriate forms for the disposition of potentially hazardous foods found to be out of temperature during an IFTAP project.



Lisa Harrison, ISDH, gathers vital driver and company information on a food transportation vehicle pulled over for inspection during an IFTAP project.

projects can prove difficult. Adequate space is needed to give semi-trucks enough room to maneuver. For this reason, weigh stations have typically been chosen to pull trucks over; however, any location with a large parking area can be used. Due to the complexity of scheduling between two agencies, these projects are typically set up weeks to months in advance of the project. Weather also plays a factor in these projects. Inclement weather may sometimes cause last minute cancellations.

LHDs may also coordinate with the ISP to set up their own projects without the participation of the ISDH staff. Contact your area ISDH field representative to learn how to schedule and coordinate a project. Your field representative will be able to assist you in obtaining the appropriate forms and other items necessary to conduct a successful project.

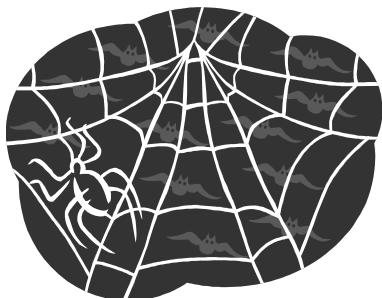


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[HTTP://WWW.IN.GOV/ISDH/20640.HTM](http://www.in.gov/isdh/20640.htm)



## Indiana State Department of Health

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## Common HBV Misconceptions

*The following cannot be done if a vendor wishes to meet the HBV exclusion in HEA 1309:*

- ♦ A HBV cannot sell potentially hazardous food products including low acid canned and acidified foods.
- ♦ A HBV cannot sell a food product at any other location except at a farmers' market or a roadside stand.
- ♦ A HBV cannot sell other commercially prepared products.
- ♦ A HBV cannot deliver to any location other than a farmers' market or a roadside stand.
- ♦ A HBV cannot assemble two or more HBV food products at the point of sale.
- ♦ A HBV cannot sell a food product with the intent that it will be resold.
- ♦ A HBV cannot make a product in a commercial kitchen.
- ♦ A HBV cannot sell a product that is not properly labeled.
- ♦ A HBV cannot sell a food product at a farmers' market or a roadside stand in a surrounding state without meeting the laws of that state.

Send your questions and comments to the e-mail or postal address on this page.

### Calendar

March 10 & 11  
USDA Food Vulnerability  
Assessment Course

March 12  
IEHA Food Protection Committee Meeting

April 14  
IEHA Spring Conference

April 13-18, 2012  
Conference for Food Protection (CFP)  
Hyatt Regency, Indianapolis